

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-010650-001 DT

10/18/2004

HONORABLE A. CRAIG BLAKEY II

CLERK OF THE COURT
N. Hannahoe
Deputy

FILED: 10/20/2004

STATE OF ARIZONA

BRADLEY H ASTROWSKY

v.

HENDRICK MICOLA VON FURSTENRECHT
(001)

HENDRICK MICOLA VON
FURSTENRECHT
13829 WEST CANYON CREEK DR
SURPRISE AZ 85374

MCSO-DIS
VICTIM SERVICES DIV-CA-CCC

MINUTE ENTRY

The Court is in receipt of defendant's Motion to Modify Conditions of Confinement (Work Release) filed 10/05/2004 with the Clerk of the Court, his Emergency Motion for Modification of Terms and Conditions of Probation (Early Release Order or Suspension of Jail Term) filed 10/12/2004 and the State's Response to the Emergency Motion.

With respect to Motion to Modify Conditions of Confinement (Work Release),

IT IS ORDERED denying defendant's Motion.

With respect to the Emergency Motion, the Court has considered it and the State's Response, as well as a FAX letter from Frank J. Fara, M.D., dated 10/12/2004. According to Dr. Fara's letter, defendant's wife is required to remain at "forced bed rest for the duration of her pregnancy," the due date for delivery being 11/04/2004. As this forced bed rest will not allow defendant's wife to take care of her stepdaughter and do the normal activities of daily life, Dr. Fara recommends that the defendant be allowed to assist in the home so that his wife will not jeopardize her condition.

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The Court is in agreement with the State's position that the defendant should serve the entire 1-year jail term previously imposed by this Court. However, the Court believes that this can be accomplished by having the defendant self-surrender after a brief, temporary release from custody. Accordingly, good cause appearing,

IT IS ORDERED releasing defendant on 10/20/2004 at no later than 12:00 noon until Friday, 11/19/2004, at which time defendant shall self-surrender to the Maricopa County Jail on or before 12:00 noon that date.

ISSUED: Order of Release for 10/20/2004 no later than 12:00 noon.

IT IS FURTHER ORDERED that defendant shall continue to abide by conditions 16, 17, 23, and 27 as set forth in the Court's 11/10/2003 minute entry, as well as remain at his home at all times except when he is running errands on behalf of his family.

IT IS FURTHER ORDERED issuing an Order of Confinement effective 12:00 noon, 11/19/2004. As the above orders are only suspending defendant's jail term, rather than an early release,

IT IS FURTHER ORDERED that defendant shall resume serving the remainder of his term, including those days in which he was temporarily released from custody, on a daily basis subject to his participation in the Work Furlough Program. Defendant shall not serve the remainder of his jail term on weekends as requested in his Motion.

IT IS FURTHER ORDERED that defendant shall not file any further requests for early release unless good cause can be shown (e.g., an emergency situation).

cc: APO/Jake Jacobs

/ s / HONORABLE A. CRAIG BLAKEY II

JUDICIAL OFFICER OF THE SUPERIOR COURT